

REMARKS

The Office Action dated September 10, 2003 has been carefully reviewed and the following remarks have been made in consequence thereof.

Claims 1-18 are pending in this application. Claims 1-18 stand rejected.

The rejection of Claims 6, 7, and, 13 under 35 U.S.C. § 102 as being anticipated by Karaev et al. "Karaev" (U.S. Patent 5,802,518) is respectfully traversed.

Karaev describes a system of secure electronic distribution of research documents over the world wide web to investors who are authorized to receive such research documents. A repository server 2 receives research documents from contributors 14, 16, and 18. The repository server includes a first database for structured query searches and a second database for full text searches. A web server is coupled to the repository server and coupled to the world wide web. The web server receives requests from investors for research documents that satisfy a query. The web server determines whether the first database or the second database should be searched based upon the type of query. The repository server transmits to the web server a list of research documents that satisfy the query and which the investor is authorized to access according to the authorization information. The web server formats the list of documents according to a template form.

Claim 6 recites a system for communicating aircraft and aircraft engine information to a user via a computer including a browser wherein the system includes "a first server system comprising a first web server and a first database, said first web server coupled to said first database, said first web server configured to cause to be displayed at the user computer at least one web page populated with data from said first database...a second server system comprising a second web server and a second database, said second web server coupled to said second database, said second web server configured to cause to be displayed at the user computer at least one web page populated with data from said second database, data stored in said first server system database accessible to the user browser via said second server system."

Karaev does not describe nor suggest a system for communicating aircraft and aircraft engine information to a user via a computer including a browser wherein the system includes

a first server system including a first web server and a first database wherein the first web server is coupled to the first database, the first web server configured to cause to be displayed at the user computer at least one web page populated with data from the first database, and a second server system including a second web server and a second database, the second web server coupled to the second database wherein the second web server is configured to cause to be displayed at the user computer at least one web page populated with data from the second database, and data stored in the first server system database is accessible to the user browser via the second server system. Specifically, Karaev does not describe nor suggest a first and a second server system that include a first and a second web server respectively, and a first and a second database respectively wherein the second web server is coupled to the second database and wherein the second web server is configured to cause to be displayed at the user computer at least one web page populated with data from the second database, but rather Karaev describes a repository server that includes a first database for structured query searches and a second database for full text searches, and a web server that is coupled to the repository server and coupled to the world wide web. In further contrast to the present invention, Karaev does not describe that data stored in the first server system database is accessible to the user browser via the second server system, but rather describe at column 10, lines 44-50, that “when a query is made, the web server 2 selects the appropriate database to which the query is first routed...if the query involves text matching (e.g., a full text search) within reports, the query is passed to the full text database 13. If the query does not involve text matching within reports, the query is passed to the relational database 11.” Accordingly, for at least the reasons set forth above, Applicants respectfully submit that Claim 6 is patentable over Karaev.

Claim 7 depends from independent Claim 6. When the recitations of Claim 7 are considered in combination with the recitations of Claim 6, Applicants submit that dependent Claim 7 likewise is patentable over Karaev.

Claim 13 recites a web-based communications system that includes “a computer having a browser...a network coupled to said computer...a first server system comprising a first web server and a first database, said first web server coupled to said first database and to said network, said first web server configured to cause to be displayed at said computer at least one web page populated with data from said first database...a second server system comprising a second web server and a second database, said second web server coupled to

said second database and to said network, said second web server configured to cause to be displayed at said computer at least one web page populated with data from said second database, data stored in said first server system database selectively accessible to said browser via said second server system.”

Karaev does not describe nor suggest a web-based communications system that includes a second server system including a second web server and a second database, the second web server coupled to the second database and to the network, the second web server configured to cause to be displayed at the computer at least one web page populated with data from the second database, data stored in the first server system database selectively accessible to the browser via the second server system.

Specifically, Karaev does not describe nor suggest a first and a second web server configured to cause to be displayed at the computer at least one web page populated with data from the second database wherein data stored in the first server system database is selectively accessible to the browser via the second server system, but rather Karaev describes, at column 6, line 56-column 7, line 10, that repository server 2 comprises or is coupled to at least two database servers 11, 13. Each database server is coupled to a database storage device 10, 12. A relational database 10, 11 allows field searching. A full text database 12, 13 allows word or text searching. The information contained in a form relating to a report is indexed in the relational database 11. ASCII text is extracted from the report and stored in the full text database 12, 13 for full text searching, and at column 10, lines 44-50, that “when a query is made, the web server 2 selects the appropriate database to which the query is first routed...if the query involves text matching (e.g., a full text search) within reports, the query is passed to the full text database 13. If the query does not involve text matching within reports, the query is passed to the relational database 11.” As such, Karaev does not describe nor suggest data stored in a first server system database is selectively accessible to the browser via the second server system. Accordingly, for at least the reasons set forth above, Applicants respectfully submit that Claim 13 is patentable over Karaev.

For at least the reasons set forth above, Applicants respectfully request that the Section 102 rejection of Claims 6, 7, and 13 be withdrawn.

The rejection of Claims 1-4, 8, and 14-15 under 35 U.S.C. § 103(a) as being unpatentable over Karaev et al. (U.S. Patent 5,802,518) in view of Nelson (U.S. Patent No. 6,487,479) is respectfully traversed.

Applicants respectfully submit that Nelson and this Application were commonly owned under 35 U.S.C. 103(c) and 37 C.F.R. 1.104(a)(5)(i) at the time of the invention when the present Application was made, the common owner being General Electric Company, Schenectady, New York. Thus, it is submitted that Nelson is not available as a reference under 35 U.S.C. 103(a).

For the reason set forth above, Applicants respectfully request that the Section 103 rejection of Claims 1-4, 8, and 14-15 be withdrawn.

The rejection of Claims 5, 9-10, 12, and 16-18 under 35 U.S.C. § 103(a) as being unpatentable over Karaev et al. (U.S. Patent 5,802,518) in view of Nelson (U.S. Patent No. 6,487,479), and further in view of Glass et al. (U.S. Patent 6,278,965) is respectfully traversed.

Applicants respectfully submit that Nelson and this Application were commonly owned under 35 U.S.C. 103(c) and 37 C.F.R. 1.104(a)(5)(i) at the time of the invention when the present Application was made, the common owner being General Electric Company, Schenectady, New York. Thus, it is submitted that Nelson is not available as a reference under 35 U.S.C. 103(a).

For the reason set forth above, Applicants respectfully request that the Section 103 rejection of Claims 5, 9-10, 12, and 16-18 be withdrawn.

The rejection of Claim 11 under 35 U.S.C. § 103(a) as being unpatentable over Karaev et al. "Karaev" (U.S. Patent 5,802,518) in view of Glass et al. "Glass" (U.S. Patent 6,278,965) is respectfully traversed.

Karaev is described above. Glass describes a real-time data management system which uses data generated at different rates, by multiple heterogeneous incompatible data sources, such as an airport surface traffic data management system that electronically interconnects air traffic control, airline, and airport operations user communities to facilitate information sharing and improve taxi queuing using an expert system to fuse data from a

variety of airline, airport operations, ramp control, and air traffic control sources, in order to establish, predict, and update reference data values for every aircraft surface operation.

To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974) (MPEP 2143.03). Applicants respectfully submit that neither Karaev et al. nor Glass et al., considered alone or in combination, teach or suggest the claimed invention. Claim 11 of the present application recites a web-based system...wherein "at least one of said first database and said second database maintains a record of navigation changes." The present specification at paragraph 30, lines 3-6 describes that changes in the navigational structure of web pages 102 and 104 are documented and maintained in a spreadsheet format that is accessible through navigation bar 110, and more specifically that all navigation change details, a url of the page changed, and a controlling party of the page are stored in an historical log. Applicants respectfully disagree with the assertion in the Office Action that "maintains a record" reads on "flight history" and that "navigational changes" reads on "flight plans". Clearly the "navigation changes" referred to in the present specification refer to changes in the navigational structure of web pages rather than to the navigation of airplanes.

Applicants respectfully submit that the Section 103 rejection of the presently pending claims is not a proper rejection. Obviousness cannot be established by merely suggesting that it would have been an obvious to one of ordinary skill in the art to combine the Karaev tool with the teachings of Glass. More specifically, it is respectfully submitted that a prima facie case of obviousness has not been established. As explained by the Federal Circuit, "to establish obviousness based on a combination of the elements disclosed in the prior art, there must be some motivation, suggestion or teaching of the desirability of making the specific combination that was made by the Applicant." In re Kotzab, 54 USPQ2d 1308, 1316 (Fed. Cir. 2000). MPEP 2143.01.

Moreover, the Federal Circuit has determined that:

[I]t is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the prior art so that the claimed invention is rendered obvious. This court has previously stated that "[o]ne cannot use hindsight reconstruction to

pick and choose among isolated disclosures in the prior art to deprecate the claimed invention."

In re Fitch, 23 USPQ2d 1780, 1784 (Fed. Cir. 1992). Further, under Section 103, "it is impermissible . . . to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art." In re Wesslau, 147 USPQ 391, 393 (CCPA 1965). Rather, there must be some suggestion, outside of Applicant's disclosure, in the prior art to combine such references, and a reasonable expectation of success must be both found in the prior art, and not based on Applicants' disclosure. In re Vaeck, 20 U.S.P.Q.2d 1436 (Fed. Cir. 1991). In the present case, neither a suggestion nor motivation to combine the cited art, nor any reasonable expectation of success has been shown. Since there is no teaching nor suggestion in the cited art for the claimed combination, the Section 103 rejection appears to be based on a hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible, and for this reason alone, Applicants request that the Section 103 rejection of Claim 11 be withdrawn.

Moreover, if art "teaches away" from a claimed invention, such a teaching supports the nonobviousness of the invention. U.S. v. Adams, 148 USPQ 479 (1966); Gillette Co. v. S.C. Johnson & Son, Inc., 16 USPQ2d 1923, 1927 (Fed. Cir. 1990). In light of this standard, it is respectfully submitted that the cited art, as a whole, is not suggestive of the presently claimed invention. More specifically, Applicants respectfully submit that Glass teaches away from Karaev, and as such, thus supports the nonobviousness of the present invention. More specifically, Glass describes a flight history of items such as last radar position, arrival times, departure times, gate, and aircraft type, and in contrast to Glass, Karaev describes a system of secure electronic distribution of research documents over the world wide web to investors who are authorized to receive such research documents.

Moreover, Applicants respectfully submits that both Glass and Karaev teach away the present invention, and as such, thus supports the nonobviousness of the present invention. More specifically, neither Glass nor Karaev, considered alone or in combination, describe or suggest a first database and second database that maintains a record of navigation changes. Consequently, the presently pending claims are patentably distinguishable from the cited combination.

With respect to Claim 6, Claim 6 recites Claim 6 recites a system for communicating aircraft and aircraft engine information to a user via a computer including a browser wherein the system includes “a first server system comprising a first web server and a first database, said first web server coupled to said first database, said first web server configured to cause to be displayed at the user computer at least one web page populated with data from said first database...a second server system comprising a second web server and a second database, said second web server coupled to said second database, said second web server configured to cause to be displayed at the user computer at least one web page populated with data from said second database, data stored in said first server system database accessible to the user browser via said second server system.”

No combination of Karaev and Glass describes or suggests a system for communicating aircraft and aircraft engine information to a user via a computer including a browser wherein the system includes a first server system including a first web server and a first database wherein the first web server is coupled to the first database, the first web server configured to cause to be displayed at the user computer at least one web page populated with data from the first database, and a second server system including a second web server and a second database, the second web server coupled to the second database wherein the second web server is configured to cause to be displayed at the user computer at least one web page populated with data from the second database, and data stored in the first server system database is accessible to the user browser via the second server system. Specifically, No combination of Karaev and Glass describes or suggests a first and a second server system that include a first and a second web server respectively, and a first and a second database respectively wherein the second web server is coupled to the second database and wherein the second web server is configured to cause to be displayed at the user computer at least one web page populated with data from the second database, but rather Karaev describes a repository server that includes a first database for structured query searches and a second database for full text searches, and a web server that is coupled to the repository server and coupled to the world wide web, and Glass describes. In further contrast to the present invention, Karaev does not describe that data stored in the first server system database is accessible to the user browser via the second server system, but rather describe at column 10, lines 44-50, that “when a query is made, the web server 2 selects the appropriate database to which the query is first routed...if the query involves text matching (e.g., a full text search) within reports, the query is passed to the full text database 13. If the query does not involve

text matching within reports, the query is passed to the relational database 11.” Accordingly, for at least the reasons set forth above, Applicants respectfully submit that Claim 6 is patentable over Karaev.

Claim 11 depends from independent Claim 6. When the recitations of Claim 11 are considered in combination with the recitations of Claim 6, Applicants submit that dependent Claim 11 likewise is patentable over Karaev.

For the reasons set forth above, Applicants request that the Section 103 rejection of claim 11 be withdrawn.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



William J. Zychlewicz
Registration No. 51,366
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070